

OFFICE OF THE

ORANGE COUNTY DISTRICT ATTORNEY

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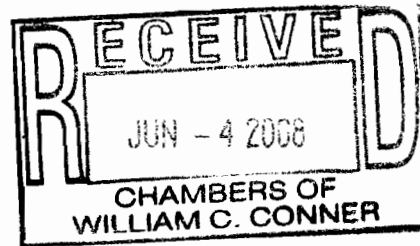
FRANCIS D. PHILLIPS II
District Attorney

RICHARD E. RUGGERI
Chief Assistant District Attorney

May 30, 2008

Hon. William C. Conner
United States District Court
300 Quarropas Street
White Plains, New York 10601

Re: Landrigan v Kaytes et al
07 Civ. 08669 (WCC)

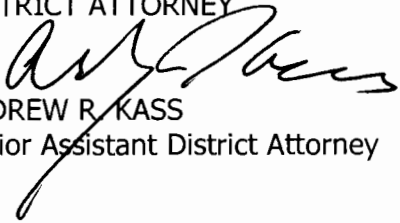


Your Honor,

This letter is submitted in response to the letter dated May 28, 2008 that was filed in opposition to the District Attorney's motion to quash. Quite apart from the policy considerations that are mentioned by counsel, which the People previously acknowledged in their application, the fact remains that the District Attorney's file on the matter is currently sealed as a matter of state law pursuant to CPL 160.50, and thus, a court order is required. In the event that this Court issues such an order directing the production of their file, the People would consent to an *in camera* inspection of their file.

Very truly yours,

FRANCIS D. PHILLIPS, II
DISTRICT ATTORNEY


ANDREW R. KASS
Senior Assistant District Attorney

cc: Harold L. Moroknek, Esq.
Orange County Attorney's Office